

2004-02-03 14:45:32

FROMMER LAWRENCE & HAUG LLP

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OFFICIAL**FACSIMILE COVER LETTER**

To: Examiner Keith D. Hendricks
Firm: PTO
Fax No. 703-872-9306
From: THOMAS J. KOWALSKI, ESQ.
Date: February 3, 2004
Re: USSN 10/040,394
OUR REF: 674509-2045.1
No. of Pages: 12
(including cover page)

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PATENT
674509-2045.1IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Soe et al.
 Serial No. : 10/040,394
 Filed : January 9, 2002
 Title : IMPROVED METHOD FOR PREPARING FLOUR
 DOUGHS AND PRODUCTS MADE FROM SUCH
 DOUGHS USING A GLYCEROL OXIDASE
 Examiner : Keith D. Hendricks
 Group Art Unit : 1761
 745 Fifth Avenue, New York
 New York 10151

FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the
 Patent and Trademark Office on the date shown below.

Angela M. Collison, Reg. No. 31,107

Type or print name of
 person signing certification.Angela M. Collison

Signature

February 3, 2004

Date of Signature

COMMUNICATION FORWARDING PREVIOUSLY FILED
 REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Further to the February 3, 2004 telephone call between Angela Collison and Examiner Hendricks, for which Examiner Hendricks is thanked for the courtesies extended therein, enclosed is a copy of the Petition Under 37 C.F.R. §1.313, Request for Continued Examination, and the Supplemental Information Disclosure Statement that were filed by hand with the Office of Petitions on November 5, 2003, as indicated by the date-stamped return receipt postcard (copy enclosed). Also enclosed are copies of the checks that accompanied the November 5, 2003 submission, and a copy of the Decision from the Office of Petitions, mailed November 6, 2003,

PATENT
674509-2045.1

granting the request to withdraw the present application from issuance in view of the Request for Continued Examination and accompanying Information Disclosure Statement.

It is believed that no fees are necessitated by entry of this paper, however the Commissioner is hereby authorized to charge any required fees, or to credit any overpayment in fees, to Deposit Account 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By Thomas J. Kowalski by Angela M. Collison
Thomas J. Kowalski,
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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective as May 29, 2000, provided for continued examination of a utility or plant application
Filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

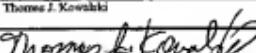
<i>Application Number</i>	10/040,394
<i>Filing Date</i>	January 9, 2002
<i>First Named Inventor</i>	SOF
<i>Group Art Unit</i>	1761
<i>Examiner Name</i>	K. Hendricks
<i>Attorney Docket Number</i>	674509-2045.1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective as May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.32(e)(2)(PTO-102) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Prosecution Practice, Final Rule, 65 Fed. Reg. 34002 (Aug. 16, 2000); Inventor Rule, 65 Fed. Reg. 14465 (Oct. 10, 2000), 1233 Off. Gac. Pat. Off. 47 (Aug. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114.
a.	<p><input type="checkbox"/> Previously submitted</p> <ol style="list-style-type: none"> <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered) <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ <input type="checkbox"/> Other _____
b.	<p><input checked="" type="checkbox"/> Enclosed</p> <ol style="list-style-type: none"> <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> Affidavit(s)/Declaration(s) <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> Other _____
2.	Miscellaneous
a.	<p><input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(d) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(e) required)</p>
b.	<p><input type="checkbox"/> Other _____</p>
3.	<p>Fee The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.</p> <p>a.</p> <ol style="list-style-type: none"> <input type="checkbox"/> Checks in the amount of \$750.00 is enclosed for the following: <ol style="list-style-type: none"> <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) <input type="checkbox"/> Extension of time fee (37 C.F.R. § 1.17) <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320. <input type="checkbox"/> Payment by credit card (Term PTO-203B enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Thomas J. Kowalski	Registration No. (Attorney/Agent)	32,147
Signature			
	Date November 4, 2003		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being hand delivered to the Office of Petitions, United States Patent and Trademark Office on the date below.

Name (Print/Type)		Date: November 5, 2003
Signature		

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FROMMER LAWRENCE & HAUG LLP

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PAY TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

THE SUM OF **750.00**

DOLLARS

SCHOOL OF LAW

Pulman Banking Building

1000 Peachtree Street N.E.

Atlanta, Georgia 30367

Telephone 404/522-5700

FROMMER LAWRENCE & HAUG LLP

Frommer, Lawrence & Haug

DETACH AND RETAIN THIS STATEMENT

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CHARGE TO

NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
D.Y. Young	674959- 2045.1	T. Kahliski	\$70.00

ACCOUNTING COPY

Serial No. 10/040,354

Title in the Matter of the Application of

Applicant(s)/Inventor(s)

The following document is

- Affidavit
- Assignment
- Preliminary Amendment
- Amended After Final Rejection
- Request for Extension of Time
- Provisional Patent Application
- Application for Patent, including

____ Pages Specified in the Abstract

____ Declaration

____ Request for Filing Continuation or Divisional

Application

____ PCT Request

____ Transmittal Letter

____ Request for Continued Examination (RCE)

____ Assignment

____ Amendment Fee Transmittal

____ Claim of Priority

____ Request for Approval of Drawings

____ Docket with Sequence Listing

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NOV 6 2003

Patent and Trademark Office

OFFICE OF PLEADINGS

BY HAND NOVEMBER 9, 2003.

64907-20451 TIK1

BY FAX TO THE PREPARATION

1000 2000 3000 4000

Business Mail Mailing Label #

(separate sheet)

Check No. 2512 20451 for \$ 300.00 Recd.

Deposit Account Order Form

Information Disclosure Statement

X TO Form 1449 (with reference)

Issue Fee/Publication Fee Transmittal

X Application Brief (provisional)

X Application for TM Registration

____ Including Specimens

____ Status Report

X Notice of Appeal (provisional)

X Notice of Appeal (regular)

X Priority Document \$1,313

X Statement of Use

X Response to Examiner's Statement

X Search Report

X Response to Notice to File Missing Parts

X Large Transmittal